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Planning Division
Environmental Branch

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Water Quality Certificate
Construction of Dam
Río Portugués
Ponce, Puerto Rico

Mr. Martinez

We have received and evaluated the application for a Water Quality Certificate for a U.S. Army Corps of Engineers Permit for construction of the Río Portugués Dam in the vicinity of Ponce.

The concrete dam would be constructed on the superior part of the Portugues river valley in the (barrio) Tibes, ponce with an elevation of three hundred fifteen feet over the mean sea level (msl). The construction of the dam would be in two phases. The phase I would provide flood control beneficts; the dam would be constructed up to an altitude of 219.6 feet over the ground level. The lagoon elevation would be 534.6 over the mean sea levels (msl). the phase II would lift the dam up to an elevation of of 585.6 feet msl.

The lagoon would cover about 320 acres and would provide the benefits of water (abastos) and recreation to ponce and adyacents ares . The vegetation , which consist mainly of (cultivos a cosecharse), ornamental trees and secondary forest, would be erased from the Dam and lagoon area and would be disposed in the (predios) using the tecnicos developed during the construction of the near cerillos dam. A secction of the road P.R. 503 and a secondary road would require relocalization. would be important impacts to a rural community because the relocalization of sixtyeighth homes, three comercial buildings and one school. This would require the remotion of the structures and the relocalization of its residents.

The importants resources that propably would be impactated by the projects are the river fauna , including native species like the shrimps, and (predios) or prehistorics / historics estructures or estructures of arquitectonic importance. The impact to the cultural resources would be mitigated completely.

The construction of the Dam and its operation would change the habitat (pecuario) dominant in the a (quebrada) of high lands that flow quickly to an profound lagoon, making in this way changes to the dominio of the population and species, but at the same time would expand the opportunities for the propagation of the fisheries and the recreational uses associated with these resources.

The mitigation measures that were considered include the modification of fall structures and pecuarias stairs over the cerillos dam, in order to permit the continue reproduction of river fishes (catadromos) and fresh water shrimps. nonetheless, before the beginning of the mitigation plan the U.S. Army Corps of Engineer would provide the funds for the Fish and Wild life Service of the U.S. make a study over the degree in which the vertical barriers would limit the mitigation and the termination of the cycle of life of the native shrimp of fresh water.

In conformity with section 401 (a) (1) of the Federal Clean Water Act (the Act), after due consideration of effluent limits or standards established under sections 301, 302, 306 and 307 of the Act, if any, and after taking into consideration the applicable water classification and standards regulating waters of Puerto Rico, it is certified that there exists a reasonable certainty, as determined by the Environmental Quality Board, that the permitted project will not violate the applicable water quality standards if limits included in table A-1 are complied with. The conditions specified in the above table shall be incorporated in the Federal permit to satisfy the conditions of section 401 (d) of the Act.

This certification applies solely to the effects that the activity might have on water quality, as defined by regulations, and not to other ecological, biological or environmental effects that might incur due to the project. This Board reserves the right to comment at any future time on any other environmental aspect of the project.

(signed)

Francisco J. Martin Caso
Associate Member

Fernanda Román
Vice President

Hector Russe Martínez
President

(This is a standard table included with all EQB WQC's. It is basically a re-statement of Puerto Rico's Water Quality Standards Regulations.)

Table A-1

PARAMETER	LIMITATION
Suspended, colloidal or settleable solids	Solids produced by works or their discharges shall not cause sedimentation or be detrimental to specified uses of receiving waters
and grease	Waters of Puerto Rico shall be substantially free of floating oils and grease, whether non-petroleum or petroleum-derived
Dissolved Oxygen	Shall be no less than 5mg/l except when lower values are due to natural causes. Shall fluctuate between 6.0 and 9.0 except when lower or higher values are due to natural causes.
Color	Shall not be greater than 15 units according to colorimetric standards of the Platinum-cobalt scale, except when due to natural causes. Provided that, in cases where the water body normally exceeds this value, the mechanism provided in section 6.10 of this Regulation may be used to develop site specific criteria.
Turbidity	Shall not exceed 50 nephelometric turbidity units (NTU).
Sulfate	Shall not exceed 250 mg/l.
Surfactants agents or methylene blue reactive substances.	Shall not exceed 100 ug/l

Special conditions

1. The environmental Quality Board (EQB), on issuance of this Water Quality Certificate (WQC), does not relieve the applicant, the U.S. Army Corps of Engineers, of its responsibility for obtaining additional permits and or authorizations from EQB, as may be required by law. The issuance of the WQC may not be considered as an authorization to carry out any activity that is not specifically covered in the WQC.
2. The U.S. Army Corps of Engineers shall obtain the approval from the Department of Natural Resources for the mitigation plan of the proposed project.
3. In those places where the river must be crossed during the construction, by vehicle or heavy equipment, the U.S. Army Corps of Engineers, shall take all the precautions to ensure no adverse impact to the river basin in the area.
4. The U.S. Army Corps of Engineers shall comply with any other requirement of the Fish and Wildlife Service.
5. The Department of Natural Resources must comply with the above Special Condition. If it does not, the WQC issued by EQB shall be immediately nullified.